

## **MINUTES**

### **MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** By **CHAIRMAN CHUCK SWYSGOOD**, on April 12, 1999 at 10:00 A.M., in Room 108 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Chuck Swysgood, Chairman (R)  
Sen. Tom A. Beck (R)  
Sen. Chris Christiaens (D)  
Sen. Eve Franklin (D)  
Sen. Greg Jergeson (D)  
Sen. Bob Keenan (R)  
Sen. J.D. Lynch (D)  
Sen. Dale Mahlum (R)  
Sen. Ken Mesaros (R)  
Sen. Ken Miller (R)  
Sen. Arnie Mohl (R)  
Sen. Linda Nelson (D)  
Sen. Debbie Shea (D)  
Sen. Mike Taylor (R)  
Sen. Daryl Toews (R)  
Sen. Mignon Waterman (D)

**Members Excused:** Sen. Tom Keating, Vice Chairman (R)  
Sen. William Crismore (R)

**Members Absent:** None.

**Staff Present:** Shannon Gleason, Committee Secretary  
Clayton Schenck, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HJR 35, 4/9/1999  
Executive Action: HJR 35

HEARING ON HJR 35

**Sponsor:** REP. DIANA WYATT, HD 43, GREAT FALLS

**Proponents:** Andrea Merrill, Mental Health Association (MHA)  
Kip Smith, Montana Primary Care  
Kathy McGowan, Mental Health Centers  
Mary McCure, Montana Clinics of the Mental  
Health Association

**Opponents:** None

**Opening Statement by Sponsor:**

REP. WYATT advised the committee this was an attempt to ensure closer oversight by the legislature was in place for mental health care. REP. WYATT read the resolution.

**Proponents' Testimony:**

Andrea Merrill, MHA, rose in support of the concept and noted the most important thing was the trust the people had in the Legislature and thanked the committee for their work.

Kip Smith, Montana Primary Care, agreed with the resolution and noted some amendments may need to be made: page one line 24 should state specifically the oversight comes from Legislative Finance Committee, also page three line four. Mr. Smith felt there may be a need to overlap the committee with a subcommittee.

Kathy McGowan, Mental Health Centers, thought the list of duties may be too large for the staff on the Finance Committee, but did feel the oversight committee should be the Legislative Finance Committee.

Mary McCure, Montana Clinics of the Mental Health Association, rose in support of the resolution.

**Questions from Committee Members and Responses:**

SEN. WATERMAN questioned which committee the sponsor envisioned being responsible. REP. WYATT felt the committee was not important, but felt the committee that did take on the job should have the proper time and desire to do the job. SEN. WATERMAN mentioned the Advisory Committee in SB 534 appointed by the Governor. SEN. WATERMAN stated the Finance Committee reviewed the

contracts, and possibly the Public Health and Human Service (PHHS) Committee should carry out the duties in the resolution.

**REP. WYATT** felt there should be some kind of overlap between the Finance Committee and the PHHS Committee.

**SEN. CHRISTIAENS** asked **Clayton Schenck**, Legislative Fiscal Services, what he thought would work better. **Mr. Schenck** felt it should be an overlap with input from both staffs involved. **Mr. Schenck** advised it could be seamless and the two staffs would work together.

**SEN. FRANKLIN** thought on page one, line 26, the language should be amended to say as prioritized by the committee.

**SEN. BECK** felt it should be under the Legislative Finance Committee with input by the Legislative Audit Committee to insure the people that have been so closely involved now could continue to properly handle on it.

**CHAIRMAN SWYSGOOD** felt there would be a cost associated with the oversights and **HB 2** should be amended to cover the additional cost for consultants and others needed. **CHAIRMAN SWYSGOOD** felt it was in statute that the Legislative Finance Committee was the lead.

**Closing by Sponsor:**

**REP. WYATT** closed.

*{Tape : 1; Side : A; Approx. Time Counter : 10:20}*

**EXECUTIVE ACTION ON HJR 35**

**Motion:** **SEN. LYNCH** moved that **HJR 35 BE ADOPTED.**

**Discussion:**

**CHAIRMAN SWYSGOOD** advised the committee they would consider action on the conceptual amendments.

**Motion/Vote:** **SEN. LYNCH** moved that **HRJ 35 BE AMENDED TO INSERT LEGISLATIVE FINANCE COMMITTEE ON LINE 24 BE ADOPTED.** Motion carried unanimously.

**Motion/Vote:** **SEN. LYNCH** moved that **HJR 35 BE AMENDED TO CHANGE THE VERBIAGE ON LINE 26 TO STATE MAY INCLUDE BUT NOT LIMITED TO THE FOLLOWING ITEMS AS PRIORITIZED BY THE LEGISLATIVE FINANCE COMMITTEE. BE ADOPTED.** Motion carried unanimously.

**Motion/Vote:** SEN. LYNCH moved that HRJ 35 BE AMENDED ON PAGE THREE, LINE 4 STRIKE LEGISLATIVE FINANCE COMMITTEE AND ADD LEGISLATIVE AUDIT COMMITTEE AND OTHER APPROPRIATE COMMITTEES BE ADOPTED. Motion carried unanimously.

SEN. WATERMAN asked if that would direct the Legislative Finance Committee and the Legislative Audit Committee to work together. CHAIRMAN SWYSGOOD advised that was the intent.

Clayton Schenck recommended the language be changed so all the members on a subcommittee could vote. SEN. BECK agreed that was a good idea.

SEN. JERGESON stated if the Legislative Finance Committee appointed the subcommittee it would give the members a chance to vote.

Clayton Schenck advised he would research the verbiage and make the amendment comply with law.

SEN. WATERMAN thought the committee would work close enough together there was no need to make the voting specific. SEN. JERGESON disagreed, and cited an example of a subcommittee where members were unable to vote.

**Vote:** Motion carried unanimously.

SEN. KEENAN pointed out on line 15 the term regional should be dropped.

**Motion/Vote:** SEN. KEENAN moved that HJR 35 BE AMENDED TO STRIKE THE WORD REGIONAL ON LINE 15 AND DELETE THE "S" FROM SYSTEMS. BE ADOPTED. Motion carried unanimously.

SEN. BECK advised there should be extra appropriations for the committee. CHAIRMAN SWYSGOOD advised the appropriate place to add the appropriation was in HB 2.

**Motion/Vote:** SEN. LYNCH moved that HJR 35 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

SEN. CHRISTIAENS was appointed to carry the resolution.

**ADJOURNMENT**

Adjournment: 10:39 A.M.

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SEN. CHUCK SWYSGOOD, Chairman

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SHANNON GLEASON, Secretary

CS/SG

**EXHIBIT (fcs79aad)**